



GUAM ENVIRONMENTAL PROTECTION AGENCY

AHENSIAH PRUTEKSION LINA'LA GUAHAN

EDDIE BAZA CALVO
GOVERNOR OF GUAM

RAY TENORIO
LT. GOVERNOR OF GUAM

ERIC M. PALACIOS
ADMINISTRATOR, GUAM EPA, ENERGY OFFICE

P.O. BOX 22439 BARRIGADA, GU 96921

P: (671) 475-1658/59

F: (671) 475-8007

EPA.GUAM.GOV

DEC 14 2012

Mr. Dave Smith
USEPA, Region 9, WTR-5
75 Hawthorne Street
San Francisco, CA 94105

RE: 401 Water Quality Certification Guam Power Authority, Cabras Power Plant, Cabras Power Plant, Municipality of Piti, Guam, NPDES GU0020001, 401WQC 13-03

Dear Mr. Smith,

The Guam Environmental Protection Agency has reviewed the NPDES permit and fact sheet to allow the discharge of treated effluent from the Cabras Power Plant into the Piti Channel, Inner Apra Harbor and into the Philippine Sea located in Piti, Guam. Out fall 001 is located at 13°27'49.1"N and 144°41'7.72"E (Non-contact cooling water; units 1&2). Out fall 002 is located at 13°27'49.1"N and 144°41'7.72"E (Non-contact cooling water; units 3&4). Outfall 101 is located at 13° 27' 49.1" N and 144° 41' 7.21" E (Facility storm water).

Water Quality Designation:

The water quality is "M-3" (Fair) at Inner Apra Harbor. Marine water in this category is intended for general, commercial and industrial use, while allowing for protection of aquatic life, aesthetic enjoyment and compatible recreation with limited body contact. Specific intended uses include the following: shipping, boating and berthing, industrial cooling water and marinas.

401 Water Quality Certification:

The Guam Environmental Protection Agency hereby issues a Clean Water Act Section 401 Water Quality Certification for the authorization to Discharge under the National Pollutant Discharge Elimination System Permit, NPDES Permit No. GU0020001 with requirements listed below. Guam EPA strongly feels that the Guam Power Authority, Cabras Power Plant, needs to conduct regularly scheduled monitoring to insure compliance and effluent data are not exceeding toxic pollutants levels. Guam EPA notes that the zone of mixing for Cabras Power Plant is the Piti Channel, from the power plant to a distance three hundred feet (300) back from where the channel joins the harbor proper, and from there to a depth of about one meter or 3.28 feet to a line from the GOROCO Pier and the Navy Fuel Pier on Dry Dock Island. The variance will be based on the 2001 Guam Water Quality Standards on Anti-Degradation Policy (22 GAR-2 §5101.B) require that existing water uses and the level of water quality necessary to protect the existing uses be maintained.

In light of this, Guam EPA is issuing this 401 Water Quality Certification with the following requirements that the NPDES Permittee shall execute in order for Guam EPA to grant the certificate.

1. The Permittee shall submit for Guam EPA approval a Sampling and Analysis Plan identifying the coordinates and locations of the sampling points.
2. The Permittee shall implement Best Judgment and Best Management Practices to prevent or minimize water quality degradation.
3. The Permittee shall take immediate corrective actions or engineering measures to address significant non-compliance with water degradation and/or environmental problems and notify the Guam Environmental Protection Agency within 24 hours.
4. The Permittee shall within 1 year after the issuance of this NPDES Permit meet with Guam EPA to review additional data collected to address compliance to applicable water quality standards.
5. The Permittee shall conduct a comprehensive assessment of the ponding basin which receives stormwater discharge from Cabras 1 & 2. The fact that there is always standing water in the basin, the location, and the distance of the basin in relation to the channel has potential for pollutants to migrate to the channel during storms and tide changes contributing to the degradation of water quality in the channel.
6. The Permittee shall monitor the pollutants identified in NPDES Permit GU0020001, Part 1.A.5, (a-n) during its monthly monitoring of the receiving waters and submit results to Guam EPA quarterly.

Based on the proposed permit narrative; monitoring requirements identified in the NPDES Permit; and the current Guam Water Quality Standards; and the 401 WQC requirements, the Guam Environmental Protection Agency believes that there is reasonable assurance that the discharged activity will not violate applicable water quality standards.

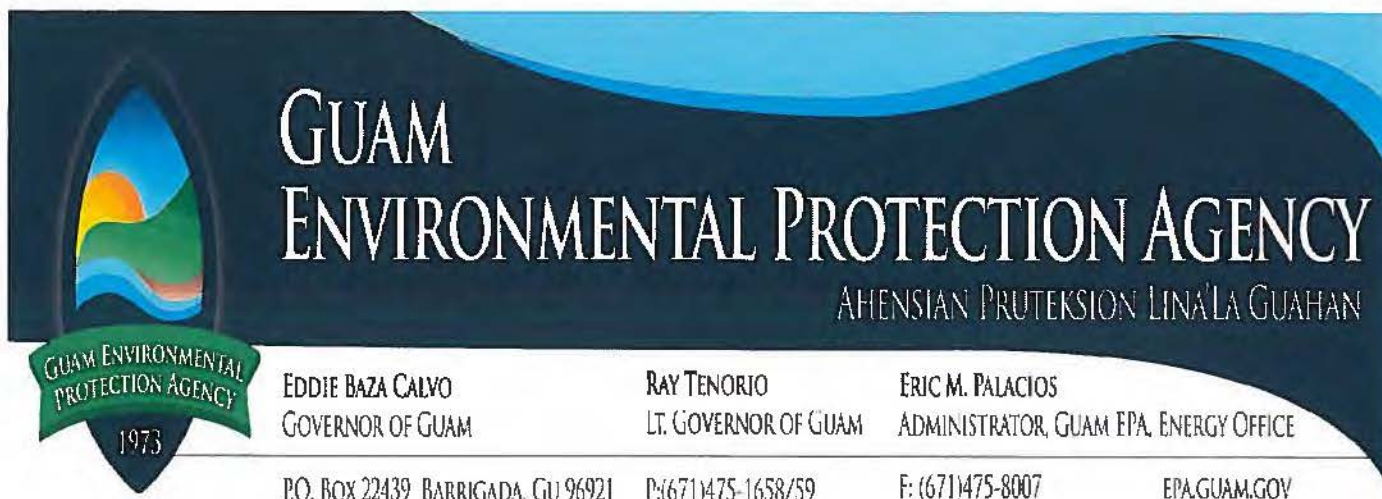
A Notice of Violation/Work Stop Order will be issued if above certification requirements are not adhered to or when significant or sustained water quality degradation occurs. Work shall be suspended or halted until the applicant addresses environmental problems/concerns to Guam EPA's satisfaction. Guam EPA may also levy penalties and fines based on Water Pollution Control Act (Title 10 GCA §477111, penalties as amended by Public Law 17-87).

Sincerely,



ERIC M. PALACIOS
Administrator

CC: ACOE, Guam Office
USEPA Region 9, Mike Lee
Dept. of Agriculture, DAWR
Bureau of Statistics & Plans, GCMP
Guam Power Authority



GUAM ENVIRONMENTAL PROTECTION AGENCY

Section 401 Water Quality Certification:

Section 401 Water Quality Certification for Discharge: **Guam Power Authority, Cabras Power Plant, Cabras Island, Piti, Guam, And Applicant: Mr. Joaquin C. Flores, P.E., General Manager.** The Guam Environmental Protection Agency hereby issues Section 401 Water Quality Certification: **401WQC 13-04** in accordance with the Clean Water Act, Public Law 95-127 and the Guam Water Quality Standards 2001 Revisions (GWQS), pursuant to the Guam Water Pollution Control Act, Chapter 47, Title 10 GCA. These discharge limits are authorized under Guam's anti-degradation policy GWQS 5101.B. Section 401 Water Quality Certification permit is only valid until all permit conditions are met. The issuance of Water Quality Certification does not exempt or waive any other local and federal requirements or allow the applicant to injure or damage surrounding properties. No person shall willfully deface, alter, forge, counterfeit, or falsify this certification.


ERIC M. PALACIOS
Administrator


Date: